

Ordinance 0014-24 – Impounding Vehicles Involved in Reckless Driving

An ordinance to create Chapter 94, Article I, Section 94-23.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 94, Article I, Section 94-23 is created as follows:

Sec. 94-23. – Impounding vehicles involved in reckless driving.

- (a) *Impoundment; authority and requirements.* A law enforcement officer may impound any vehicle used in the commission of a violation of reckless driving under Wisconsin Statutes section 346.62 at the time of issuing a citation for the offense if the person cited meets each of the following criteria:
- (1) Is the owner of the vehicle.
 - (2) Has a prior conviction for a violation of reckless driving under Wisconsin Statutes section 346.62 or a local ordinance in strict conformity therewith for which a forfeiture was imposed that has not been fully paid.
- (b) *Release.* Any vehicle impounded under subsection (a) shall be returned to its owner if each of the following criteria have been met:
- (1) The forfeiture for the prior conviction for a violation of reckless driving has been fully paid.
 - (2) The reasonable costs of impounding the vehicle have been fully paid, including towing or other transportation costs and storage costs.

State Law references – Reckless driving, Wis. Stat. § 346.62; Penalty for violation sections 346.62 to 346.64, Wis. Stat. § 346.65; Authority to impound vehicles, Wis. Stat. § 349.115.

Part 2: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

Fiscal Note: No change.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.